IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 89 of 2004 (M/B)

Chandrabhan (Village Pradhan),
S/o Sri Kripa Ram,
R/o Village Hathiyathal,
Tehsil Roorkee, District Haridwar. ……. Petitioner

Versus

1. State of Uttaranchal,
through Collector,
Haridwar.
2. District Panchayat Raj Officer,
Haridwar. …… Respondents

Mr. Lok Pal Singh, Advocate for the Petitioner.
Mr. N.C. Gupta, Standing Counsel for the State of Uttaranchal

JUDGMENT

Coram: Hon. Rajeev Gupta, C. J.
Hon. P.C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. Lok Pal Singh, Advocate for the petitioner.

Mr. N.C. Gupta, Standing Counsel for the respondents.

They are heard.

2. Petitioner Chandrabhan, who was Village Pradhan, has filed this writ petition for the following reliefs:

> "i) Issue a writ, order or direction in the nature of certiorari quashing the recovery notice dated 03.11.2003 contained annexure no. 8 of the writ petition, issued by the respondent no. 2.
>
> ii) Issue a writ, order or direction in the nature of mandamus commanding /directing the respondents to produce the alleged inquiry reports and further be pleased to quash the alleged inquiry reports.
>
> iii) Issue any other relief, which this Hon'ble Court may deem fit and proper in the circumstances of the case, passed in favour of the petitioner.
>
> iv) Cost of the petition be awarded in favour of the petitioner.

3. The petitioner is challenging the recovery notice (Annexure No. 8), whereby a sum of Rs. 22,650/- was sought to be recovered from the petitioner.

4. In the counter affidavit filed by the respondents, it has categorically been stated that the petitioner, in his letter dated 29.09.2003 (Annexure CA 1) without disputing the recovery of Rs. 22,650/- , sought facility of instalments only.

5. On due consideration, we are of the opinion that the petitioner has miserably failed in making out a case for grant of the reliefs sought in the writ petition.

6. The writ petition, therefore, fails and is, hereby, dismissed. Consequently, the interim order dated 04.02.2004 stands vacated automatically

(P.C.Pant, J.) **(Rajeev Gupta, C.J.)**
04.04.2006 **04.04.2006**

G